

*United States Court of Appeals
for the Second Circuit*



**APPELLANT'S
APPENDIX**

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

75-1104

B
P/S 7cc

DOCKET NO. 75-1104

UNITED STATES OF AMERICA

APPELLEE

v.

JULIAN TAYLOR

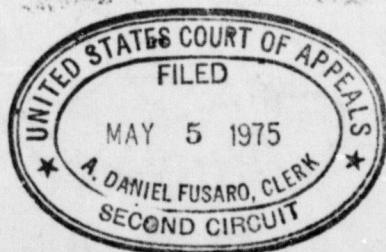
APPELLANT

ON APPEAL FROM THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF CONNECTICUT

APPENDIX FOR THE APPELLANT

Charles N. Sturtevant
Federal Public Defender
450 Main Street
Hartford, Connecticut

Attorney for Appellant



PAGINATION AS IN ORIGINAL COPY

TABLE OF CONTENTS

	PAGE
DOCKET (Criminal No. H-459).....	1-7
NOTICE OF APPEAL.....	8
INDICTMENT.....	9-10
NOTICE OF INTENT TO FILE MOTION TO DISMISS.....	11
MOTION TO DISMISS INDICTMENT.....	12

CRIMINAL DOCKET
UNITED STATES DISTRICT COURT

D. C. Form No. 100 Rev.

ONLY COPY AVAILABLE

T. EMMET CLARIE
M. JOSEPH BLUMFELD

H 459

TITLE OF CASE

ATTORNEYS

THE UNITED STATES

For U. S.:

Peter Dorsey

~~Sydney M. Jones, US Atty~~

~~John A. Salvatore, Asst. US At~~

450 Main St., Hartford,

~~Ronald J. Dabrowski, Asst. US At~~

~~Peter J. Zaccagnino, Asst. US At~~

Albert Dabrowski

vs.

~~Defendant - 18 USC
Date - 3-7-73
Date - 3-7-73
Date - 3-10-73
" 3-10-73~~
JULIAN TAYLOR,
MARLON EUBANK McLENNAN aka "Lonnie",
WALTER B. FREDERICK, JR., Aka "Sonny"
AND REUBEN McCRARY

Walter Fredericks, - Thomas Dennis Marlon McLennan -
656 Ellington Road
So. Windsor, Conn.

For Defendant: Jacob Sobotka
Joseph M. Tapper, Esq.
750 Main St.
Hartford, Conn.

J. Taylor - Chas. Sturtevant, PubDef Reuben McCrary -
450 Main St.
Hartford, Conn.

Peter J. Zaccagnino, Jr.
104 Asylum St.
Hartford, Conn. 527-3211

STATISTICAL RECORD

COSTS

DATE

NAME OR
RECEIPT NO.

REC.

DIS.

J.S. 2 mailed

Clerk

J.S. 3 mailed

Marshal

Violation U. S. Code

Docket fee

Title 18

Sec. 472

DATE
1973
3/29

PROCEEDINGS

The Grand Jury at Hartford returned a True Bill of Indictment charging violation of 18 USC 472 in counts 1 and 2 - conspire to violate 18 USC 472 and wilfully and knowingly did keep in their possession and conceal certain falsely made, forged, counterfeited or altered obligations and securities of the United States. Summons to issue for April 16th. (Blumenfeld, J.) m-3/30/73

4/2

Summons issued in duplicate and with certified copy of the indictment handed US Marshal for service.

4/16

Appearance of Joseph M. Tapper entered and filed to represent Defendant, Marlon E. McLennan.

4/16

PIEA of not guilty entered to counts 1 and 2 by Defendant, Marlon E. McLennan. Motions to be filed by April 30th. Govt. to respond by one week. (Clarie, J.) 4/17/73

"

PIEA of not guilty entered to two counts by Defendant, Julian Taylor. Motions to be filed by April 30th. Govt. to respond with one week. (Clarie, J.) m-4/17/73

"

Plea of Walter B. Frederick continued for two weeks to obtain counsel (Clarie, J.) m-4/17/73

PROCEEDINGS

DATE

1973

4/19

Appearance of Peter J. Zaccagnini, Jr., entered and filed to represent Defendant Reuben McCrary.

4/4

Marshal's return showing service, filed. (Summons - 4 Dfts.

4/6

Reg. mail receipts #050041 & 050042, filed.

4/13

" " " #050160, filed.

4/13

Marshal's unexecuted return, filed. (Summons, Deft. Frederick,

4/30

Deft. McCrary's Motion For Discovery and Inspection; Motion To Compel Disclosure of All Exculpatory Material and Information; Motion For Bill of Particulars, filed.

4/30

Deft. McLennan's Motion For Bill of Particulars; Motion To Compel Disclosure of All Exculpatory Material and Information; Motion To Suppress Motion For Discovery and Inspection, filed.

"

Plea of not guilty on counts 1 & 2 entered by Deft. Fredericks. Motions to be filed by Atty. Boce Barlow by May 14th. Govt. to respond in one week. Case to appear next week, on Judge Blumenfeld's calendar for filing of appearance by Atty. Barlow. (Clarie, J.)m-5/1/73

5/7

Cal. Motions 1 thru 4, Over two weeks - # 5, 6 & 7 Off. (Blumenfeld)

5/7

Plea of Deft. Frederick, over to Monday, 5/14/73. (Blumenfeld, J)m

5/10

Endorsement entered on Motion For Bill of Particulars (McCrary),

"Off - May 7, 1973." (Blumenfeld, J.)m- 5/14/73

Endorsement entered on Motion For Discovery and Inspection (McCrary), "Off - May 7, 1973." (Blumenfeld, J.)m- 5/14/73 Copies to Attys. Sale and Zaccagnino and Tapper.

5/7

Government's Response To Defendant's Motion To Compel Disclosure of Exculpatory Information; Bill of Particulars; and Government's Response To Defendant's Motion For Discovery and Inspection, filed.

5/14

To be on Judge Clarie's Calendar 5/21/73 - App. of Counsel of Deft's. choice to be filed before 5/21/73 - Govt. ready to proceed. (Blumenfeld, J.)m-5/15/73 (Deft. Frederick)

5/18

Govt's. Response to Defendant's (McLennan) Motion For Discovery and Inspection; Govt's Response to Defendant's (McLennan) Motion To Compel Disclosure of Exculpatory Information; and (Govt's) Bill of Particulars filed.

5/18

Government's Response to Defendant's Motion to Suppress, filed.

5/21

Deft. McLennan's Motion For Bill of Particulars and To Compel Disclosure of all Exculpatory Material and Information, off by agreement. Deft. McLennan's Motion To Suppress and For Discovery and Inspection, Denied. (Blumenfeld, J.)m-5/22/73

"

Deft. Frederick re obtaining a lawyer - Deft. still has no lawyer. Claims he cannot raise sufficient funds - Court directs Defendant to complete necessary forms in Public Defender's Office re Court appointment of attorney to represent him. (Blumenfeld, J.)m-5/22/73

"

Law Student Intern Appearance Ford, filed. Deft. McLennan has consented to appearance of Jacob Sobotka, Law Student, under the supervision of Joseph M. Tapper, Atty. Appearance Approved. (Blumenfeld, J.)

"

Endorsement entered on Motion To Suppress (Deft. McLennan) "Motion denied after hearing. (See Transcript.)" May 21, 1973. (Blumenfeld, J.)

"

Endorsement entered on Deft. McLennan's Motion For Discovery and Inspection, "The only issue pursued at the hearing was whether the gov't was required to disclose names and addresses and statements of witnesses." Motion denied. May 21, 1973. (Blumenfeld, J.)m-5/21/73 Copies of above endorsements mailed to Attys. Sale, Tapper, and Zaccagnino.

4/19

Court Reporter's Notes of Proceedings held on April 16, 1973, filed (Sperber, R.)

DATE	PROCEEDINGS
1973	
6/26	Deft. Frederick's Motion For Disclosure and Production, and
7/2	Deft. Frederick's Motion For Bill of Particulars, filed. Deft. Frederick's Motions on cal. withdrawn by agreement of counsel. (Blumenfeld, J.)m-7/5/73
6/11	Appearance of Thomas G. Dennis entered and filed to represent Defendant Walter Frederick.
7/10	Court Reporter's Notes of Proceedings held on April 30, 1973, filed in Hartford. (Sperber, R.)
8/1	Court Reporter's Notes of Proceedings held on May 21, 1973, filed in Hartford. (Collard, R.)
8/1	Court Reporter's Notes of Proceedings held on May 7, 1973, filed in Hartford. (Collard, R.)
8/16	Court Reporter's Sound Recording of Proceedings held on April 16, 1973, filed in Hartford. (Sperber, R.)
8/16/	Court Reporter's Sound Recording of Proceedings held on April 30, 1973, filed in Hartford. (Sperber, R.)
9/10	(Deft. Frederick.) Motion to Suppress and Motion to Suppress Testimony, filed.
9/18	Endorsements entered on Deft. Frederick's Motion To Suppress and Motion To Suppress Testimony - "Over until Oct. 1, 1973." (Blumenfeld, J.)m-9/20/73 Copies mailed to counsel of record.
9/17	W.B. Frederick, Jr. - Motion To Suppress and Motion To Suppress Testimony, over to next calendar. (Blumenfeld, J.)m-9/21/73
10/1	Endorsement entered on Motion To Suppress, "10/1/73 Decision reserved; briefs to be served and filed by 10/10/73" (Latimer, Mag.)
"	ENDORSEMENT ENTERED ON Motion To Suppress Testimony, "10/1/73 Decision Reserved; briefs to be served and filed by 10/10/73". (Latimer, Mag.)m-10/3/73
10/9	Government's Response To Defendant Frederick's Motion To Suppress, filed.
10/1	Govt. and Defendant to submit Briefs by 10/10/73, re sufficiency of Warrant. - Defendant to amend motion by 10/10/73 - Govt. exh. #1 entered, Aff & Appl for Search and Seizure Warrant dated Jan. 19, 1973 Over to no certain date. (Latimer, Mag.)m10/3/73
10/11	Defendant's Memorandum In Support of Motion To Suppress, filed along with affidavit of Thomas G. Dennis. Motion of Defendant Frederick's To Suppress, filed.
10/8	Court Reporter's Notes of Proceedings held on July 2, 1973, filed in Hartford. (Winkler, Wm., R.)
10/8	Court Reporter's Notes of Proceedings held on October 1st, 1973, filed in Hartford. (Collard, R.)
10/16	Continuance of Defendant Frederick's Motions to Suppress, filed.
10/19	Court Reporter's Sound Recording of Proceedings held on May 7, 1973, filed in Hartford. (Collard, R.)
10/16**	(Latimer, Mag.)m-10/16/73 Copies sent to all counsel of record.
12/13	Defendant Walter B. Frederick's Memorandum In Support of Motion to Suppress, Filed.
12/3	Hearing on Deft. Frederick's Motion to Suppress. One Government witness sworn and testified. Government's Exhibit 1 filed. Two defendant's witnesses sworn and testified. December 12, 1973 for briefs by both parties. Decision Reserved. (Exhibit 1 with file.) (Blumenfeld, J.)m-12/4/73.
12/18	Jury Assignment List, Over to Middle of January 1974. (Blumenfeld J.)m-12/20/73

PROCEEDINGS

- 73
74
- /2 Ruling on Motion To Suppress (Walter B. Frederick, Jr.), filed. (Blumenfeld, J.)m-1/4/74 "...the motion to suppress is denied." Copies mailed to Attys. Jones, Tapper, Zaccagnini, Dennis and Surtevant.
- /20 Court Reporter's Notes of Proceedings held on December 3, 1973, filed in Hartford. (Collard, R.)
- /23 Notice of Intent to File Motion To Dismiss Indictment, filed for Deft. Julian Taylor by Counsel.
- /12 Notice of Intent to File Motion to Dismiss Indictment, filed by Deft. Marlon McLennan.
- /14 Notice of Intent to File Motion To Dismiss Indictment, filed by Defendant Walter B. Frederick, Jr.
- 6/6 Appl. for Writ of Habeas Corpus ad Prosequendum and Order (Blumenfeld, J.)m-6/19/74, filed. (Two copies of Writ and two attested copies of Order handed US Marshal for service.)
- 6/18 Notice of Intent to File Motion To Dismiss Indictment, filed, re Marlon E. McLennan.
- 6/18 Deft. Walter B. Frederick, Jr.'s. Motion To Sever, filed.
- 6/6 Appl. For Writ of Habeas Corpus ad Prosequendum and Order (Blumenfeld, J.)m-6/19/74, filed. Two attested copies of Order and two copies of Writ handed US Marshal for service. (Julian Taylor) (Duplicates see above)
- 6/12 Marshal's executed return, filed. (Writ of Habeas Corpus)
- 6/18 Call of Jury Assignment List Cal. - Ready. Deft. McLennan granted 24 Hours to file Motion To Dismiss. (Blumenfeld, J.)m-6/20/74
- 6/19 Motion (Deft. Marlon McLennan) To Dismiss Indictment, filed.
- 6/19 Motion (Deft. Julian Taylor) To Dismiss Indictment, filed.
- 6/20 Motion to Dismiss Indictment and Motion To Sever filed by Deft. Reuben McGrary.
- 6/18 Motion To Dismiss Indictment, filed re Deft. Frederick.
- 9/3 Defendant's (Walter B. Frederick, Jr.) Motion to Sever Over to 9/16/74. (Blumenfeld, J.)m-9/4/74.
- 9/16 Deft's. (Walter B. Frederick, Jr.) Motion To Sever Over to 9/30/74. (Blumenfeld, J.)m-9/17/74
- 9/24 Call of Jury Assignment List Cal. - Hearing held on Defendants' Motions to Dismiss and Defendants' Motions to Sever -- all motions denied. Jury to be selected tomorrow 9/24/74. (Murphy, J.)m-9/25/74
- 9/30 Court reporter's transcript of proceedings held on December 3, 1973, filed in Hartford. (Collard, R.)m-
- 9/30 CHANGE OF PLEA of guilty to count 1 entered by Deft. Julian Taylor. Case continued for presentence report. Count 2 to be dismissed at time of disposition. (Blumenfeld, J.)m-10/1/74
- 10/23 Call of Jury Trial List - Trial 11/12/74. (Blumenfeld, J.)m-10/24/74
- 11/11 CHANGE OF PLEA of guilty to Count One entered by Deft. Marlon Eubank McLennan. Case continued for presentence report. Count two to be dismissed upon disposition. (Fredericks & McGrary)
- 11/12 JURY TRIAL - Proposed Voir Dire Questions, filed by Deft. Frederick - Panel of 48 jurors reported and sworn on Voir Dire - 14 Jurors impanelled and sworn - Two Jurors to be later designated as alternates by Court - Govt. Witness sworn and testified - Govt. exh. 1, 2 & 3, filed then made Full Exhibits - Court exhibits 1 thru 4, filed. Court orders Govt. and Def. witnesses to be sequestered until after testifying - Deft. McLellan sworn and testified - Govt. exhibit 4 made full exhibit - Govt. exhibits 5 thru 7 made full exhibits - Grand Jury Testimony of Julian Taylor entered as Court exh. #5. Court adjourned at 4:35pm (Blumenfeld, J.)m-11/13/74

PROCEEDINGS

- DATE PROCEEDINGS
- 1974
- 11/13 JURY TRIAL CONTINUES - 14 Jurors report - Excerpts of Testimony by Marlon McLennan, filed by Court reporter - 3 Govt. Witnesses sworn and testified - Govt. exh. 8, filed. Oral Motion of Deft. Frederick To Suppress - Denied - Parties stipulate as to chain of custody - Govt. rests at 2:12pm - Oral motions of both Dfts. for Judgment of Acquittal - Denied - Dfts. case commences at 2:15pm - Deft. Witness sworn and testified - Dfts. Frederick and McCrary rest at 2:17pm. Request to Charge, filed by Govt. Court adjourned at 2:25pm. (Blumenfeld, J.) m-11/14/74
- 11/20 NOTICE OF READINESS FOR RETRIAL FILED BY GOVERNMENT.
- 11/20 Request To Transfer Case To Different Judge For Retrial, filed by Government.
- 11/26 Endorsement entered on Request to Transfer Case to Different Judge for Retrial: "Motion Granted - 11/26/74 - M.J.B., USDJ" m-12/2/74 Copies mailed to all counsel of record.
- 11/14 JURY TRIAL CONTINUES - 14 Jurors report - Summations from 10:05 a.m. to 11:36 A.M. - Govt. rebuttal from 11:36 a.m. to 11:47 a.m. Court charges from 12:01 p.m. to 1:12 p.m. - Court's supplemental charge from 2:15 p.m. to 2:25 p.m. - Alternate Jurors excused - Jury retires at 2:30 p.m. and exhibits and indictment given to Jury - At 2:58 p.m. Jury requested 3rd statement of Deft. Taylor, Denied not an exhibit - At 3:38pm Jury returns and states it cannot reach a verdict - Court sends Jury back for more deliberation - John Kosick spoke for Jury as Foreman - At 4:55pm Jury reports still cannot reach a verdict - Court excuses Jury till tomorrow at 10:00am. (Blumenfeld, J.) m-11/15/74
- 11/15 JURY TRIAL CONTINUES: Panel of 12 Jurors appear - Jurors continue their deliberations at 10:00am - Jury reports at 11:25am that it is unable to reach a verdict on either count with either defendant - Court declares a mistrial and excuses Jurors until 10:00am on 11/19/74. (Blumenfeld, J.) m-11/18/74
- 12/4 Objection To Government's Request for Transfer to Different Judge, filed, by Attorney Dennis.
- 12/16 Disposition of Julian Taylor over by agreement of counsel. (Blumenfeld, J.) m-12/18/74
- 12/13 Court Reporter's Transcripts (3 Vols.) of proceedings held on November 12, 13 & 14, 1974, filed in Hartford. (Collard, R.)
- 1975
- 1/2 Motion For Permission to Withdraw Appearance, filed by Atty. Dennis.
- 1/3 Court Reporter's Sound Recording of Proceedings held on November 11, 1974, filed in Hartford. (Collard, R.)
- 1/6 Hearing on Objection To Government's Request For Transfer To Different Judge, - Dec. Res. (Blumenfeld, J.) m-1/8/75
- 1/7 Endorsement entered and filed on Objection To Government's Request For Transfer To Different Judge, "Opportunity to be heard was afforded - and orig. ruling adhered to" 1/7/77 (Blumenfeld, J.) m/ Copies sent to counsel or record.
- 1/7 Case #1 for jury selection tomorrow. Atty. Zaccagnino to be notified to be here for jury selection. (Clarie, J.)
- 1/8 JURY TRIAL Ready. Voir Dire questions filed by Attys. Dabrowski and Dennis. 53 Jurors had answered call - 12 Jurors and 1 Alternate impanelled and sworn. (Clarie, J.)

CONTINUED

PROCEEDINGS

Defts. Frederick and McCrary-

/JURY TRIAL COMMENCES: 13 Jurors report - Atty. Dennis makes motion to Suppress - Govt. Fxh.#3 - Court will adhere to ruling of Judge Blumenfeld denying Motion To Suppress - Atty. Zaccagnino moves that witnesses be sequestered and Govt. makes request that all Defense witnesses be sequestered except for Linda Braithwaite, Motion Granted. Government's Requested jury instructions, filed. - 2 Govt. witnesses, sworn and testified - Govt. exhibit #1, filed - Govt. exh. #2 & #3, filed - Govt. exh. #4, 5, 6 & 7 made full exhibits - Atty. Thomas Dennis moves for severance, Motion Denied - Govt. Witness previously sworn resumed stand and testified. Court adjourned at 4:55pm until tomorrow at 10:00am. (Clarie, J.)

JURY TRIAL CONTINUES: 13 Jurors report - Govt. witness continues testimony on cross-examination - 3 Govt. Witnesses, sworn and testified - Govt. exh. #9, filed - Govt. exh. #3 & #8 made full exhibits - Atty. Dennis renews Motion To Suppress, Motion Denied - Govt. rests at 4:48pm Court adjourned at 4:50pm till tomorrow at 10:00am. (Clarie, J.)

JURY TRIAL CONTINUES: 13 Jurors report - Atty. Dennis makes Motion for Judgment of Acquittal - Atty. Zaccagnino makes Motion for Judgment of Acquittal - Motions Denied - Defendants rested at 10:17am - Govt. summation from 10:18am to 11:06am - Atty. Zaccagnino's summation from 11:23am to 12:08pm - Atty. Dennis' summation from 12:19pm to 1:06pm - Atty. Dabrowski's rebuttal from 2:01pm to 2:14pm - Court commences charge at 2:15pm to 3:05pm - Alternate juror excused - Jury retires at 3:07pm - No exceptions to charge - Indictment and exhibits given to jury at 3:10pm - Jury returns at 4:02pm with verdict of GUILTY against both Defendants on both counts - Jury polled at request of both defense counsel - Verdict ordered received and recorded - Bonds of \$5,000.00 with full surety set for each defendant. (Clarie, J.)

Bonds in the amount of \$5,000.00 with full surety filed for each Defendants (Frederick and McCrary). Surety is Resolute Ins. Co. by Paul A. LaRosa.

Endorsement entered and filed on Deft. Frederick, Jr.'s Motion to Sever, "This motion has now become academic according to Defs. & therefore denied. - Nov. 12, 1974." (Blumenfeld, J.)m-1/27/74

Court Reporter's Notes of Proceedings held on November 12, 13, 14 and 15, 1974, filed in Hartford. (Collard, R.)

Endorsement entered on letter dated Jan. 29, 1975 from Atty. Zaccagnino to Judge Clarie, filed. "January 29, 1975 The Connecticut restriction on the bond shall be eliminated when the bondsman files a consent; at that time the Court will modify the bond accordingly. So Ordered." (Clarie, J.)m-1/30/75 Copy sent to Attys. Dabrowski and Zaccagnino.

Motion For Judgment of Acquittal, filed by Atty. Dennis.

Motion For Judgment of Acquittal, filed by Atty. Zaccagnino.

Endorsement entered and filed on Deft. McCrary's Motion For Judgment of Acquittal, "January 31, 1975 Motion denied; so ordered." (Clarie, J.)m-1/31/75

Endorsement entered and filed on Deft. Frederick's Motion For Judgment of Acquittal, "January 31, 1975 Motion denied; so ordered." (Clarie, J.)m-1/31/75 Copies of above sent to Attys. Zaccagnino, Dennis and Dabrowski.

DISPOSITION-(Marlon E. McLennan, ct. 1)- one year imprisonment, execution suspended; defendant placed on probation for a period of two years. Sentence imposed pursuant to the provisions of the Youthful Adult Offenders Act (18 USC 5010(a) as amended by 18 USC 4209). (Blumenfeld)

DATE	PROCEEDINGS
1975	
2/3	Order for Dismissal/ ^(McLennan) of Count 2, filed. (Blumenfeld, J.) m-2/7/75
2/3	Deft. Taylor Disposition over to 2/18/75. (Blumenfeld, J.)
2/7	Judgment and Order of Probation (McLennan), filed. (Blumenfeld, J.) m-2/10/75 Two attested copies handed US Probation Officer in Hartford.
2/19	Endorsement entered on letter from Paul A. LaRosa, Connecticut Bail Bonds, Inc., dated February 12, 1975: "Feb. 19th, 1975; The bail bond is modified, consistent with the aforesaid consent. SO ORDERED. T. Emmet Clarie, USDJ". Copies sent to Paul A. LaRosa, A. Dabrowski, Asst. U.S. Atty. and Atty. Zaccagnino, imprisonment,
2/18	<u>DISPOSITION</u> -(Julian Taylor-ct.-1) - three years, execution suspended, defendant placed on probation for a period of three years. A Condition of probation is that the defendant make every reasonable effort to obtain services of a psychiatrist with advise and help of Probation Dept. (Blumenfeld, J.) Order for Dismissal of Count 2, filed. (Blumenfeld, J.) m-2/24/75
2/24	Judgment and Order of Probation, filed. (Blumenfeld, J.) m-2/24/75 Two attested copies handed US Probation Officer in Hartford.
2/27	Notice of Appeal re Julian Taylor, filed. Copies disbursed to Attys. Sturtevant and Dabrowski.
2/28	Certified copy of Notice of Appeal and Docket Entries mailed to USCA.
3/10	Acknowledgement received and filed from USCA for documents mailed on 2/28/75.
3/10	<u>DISPOSITION</u> - Deft. McCarry - 2 cts. - three years imprisonment on each of two counts to run concurrently. Bond of \$5,000.00 to remain for purposes of appeal. (Clarie, J.)
"	<u>DISPOSITION</u> - Deft. Fredeicks - 2 counts - two years imprisonment on each of two counts to run concurrently. Bond to remain the same for purposes of appeal. (Clarie, J.)
3/11	Judgment and Commitments, filed re Defts. McCarry and Frederick (Clarie, J.) m-3/11/75 Two attested copies handed US Marshal in Hartford and one handed US Probation Officer in Hartford.
3/18	Notice of Appeal, filed by Deft. Reuben McCrary. Copies handed counsel.
3/18	Certified copy of Notice of Appeal and Docket entries sent to Clerk, USCA.
3/18	Notice of Appeal filed by Deft. Walter B. Frederick, Jr. Copies handed Attys. Dennis and Dabrowski and copy mailed to Atty. Zaccagnino.
3/18	Certified copy of Notice of Appeal and Docket entries sent Clerk, USCA.
3/17	Record on Appeal (Deft. Taylor, Order Denying Motion To Dismiss) sent to USCA and copies of Docket Entries and Indexes sent Attys. Sturtevant and Dabrowski.

I hereby certify that the foregoing
is a true copy of the original
document on file.

By: *J. Clarie*
Deputy Clerk

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

RECEIVED
MAR 2 1975
OFFICE OF THE FEDERAL
PUBLIC DEFENDER

UNITED STATES OF AMERICA :
v. :
JULIAN TAYLOR :

CRIMINAL NO. H-459

NOTICE OF APPEAL

Notice is hereby given that Julian Taylor, Defendant above-named, hereby appeals to the United States District Court of Appeals for the Second Circuit from the denial of Defendant's Motion to Dismiss for lack of speedy trial denied by Judge Murphy on September 24, 1974, having pled guilty and reserved his right to appeal this ruling.

Dated at Hartford, Connecticut this 27th day of February, 1975.

THE DEFENDANT
JULIAN TAYLOR

BY

Charles N. Sturtevant
Charles N. Sturtevant
Federal Public Defender
450 Main Street
Hartford, Connecticut

UNITED STATES OF AMERICA

CRIMINAL NO. H 459

JULIAN TAYLOR, MARLON EUBANK
McLENNAN a/k/a "Lonnie",
WALTER B. FREDERICK, JR. a/k/a
"Sonny", and REUBEN McCRARY

ONLY COPY AVAILABLE

I N D I C T M E N T

The Grand Jury charges:

COUNT ONE

1. From on or about the 1st day of December, 1972, up to and including on or about the 31st day of January, 1973, in the District of Connecticut, JULIAN TAYLOR, MARLON EUBANK McLENNAN a/k/a "Lonnie", WALTER B. FREDERICK, JR. a/k/a "Sonny", and REUBEN McCRARY, the defendants, and others to the Grand Jury unknown, unlawfully, wilfully and knowingly did combine, conspire, confederate and agree together w/^t each other to violate Section 472 of Title 18, United States Code.

2. It was part of said conspiracy that the said defendants unlawfully, wilfully and knowingly and with intent to defraud, would pass, utter, publish and sell, and attempt to pass, utter, publish and sell, and with like intent keep in their possession and conceal, certain falsely made, forged, counterfeited or altered obligations and securities of the United States, to wit, altered United States Savings Bonds, in violation of Section 472 of Title 18, United States Code.

Overt Acts

In pursuance of the said conspiracy and to effect the object thereof, the following overt acts, among others, were committed in the District of Connecticut:

1. In or about December, 1972, JULIAN TAYLOR, MARLON EUBAN

2. In or about December, 1972, MARLON EUBANK McLENNAN a/k/a "Lonnie", removed a validating stamp from the United Bank and Trust Company, Albany Avenue Branch, Hartford, Connecticut.

3. On or about January 18, 1973, JULIAN TAYLOR, the defendant, offered to sell a quantity of United States Savings Bonds.

COUNT TWO

The Grand Jury further charges:

From on or about the 1st day of December, 1972, up to and including on or about the 31st day of January, 1973, in the District of Connecticut, JULIAN TAYLOR, MARLON EUBANK McLENNAN a/k/a "Lonnie", WALTER B. FREDERICK, JR. a/k/a "Sonny", and REUBEN McCRARY, the defendants, with intent to defraud, unlawfully, wilfully and knowingly did keep in their possession and conceal certain falsely made, forged, counterfeited or altered obligations and securities of the United States, to wit: approximately \$16,450.00 in altered United States Savings Bonds, in violation of Title 18, United States Code, Sections 472 and 2.

A TRUE BILL

W. P. ABBOTT
Foreman

STEWART H. JONES
United States Attorney

JON A. SALE
Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA :

V. :

CRIMINAL NO. H-459

JULIAN TAYLOR, ET AL :

NOTICE OF INTENT TO FILE
MOTION TO DISMISS INDICTMENT

The Defendant, Julian Taylor, by his court-appointed counsel, Charles N. Sturtevant, respectfully gives notice to the Government of his intention to file a Motion to Dismiss ten days hence, pursuant to Rule 4 of the Plan For Achieving Prompt Disposition of Criminal Cases, on the grounds that the Government was not ready for trial within six months as required.

Dated at Hartford, Connecticut this 23rd day of May,
1974.

THE DEFENDANT
JULIAN TAYLOR

BY

Charles N. Sturtevant
Federal Public Defender
450 Main Street
Hartford, Connecticut

CERTIFICATION

This is to certify that a copy of the above Motion was mailed, postage prepaid, to the following counsel:

Albert Dabrowski, Esq.
Thomas Dennis, Esq.
Peter J. Zaccagino, Esq.
Joseph Tapper, Esq.

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA

:

v.

:

CRIMINAL NO. H-459

JULIAN TAYLOR

:

:

MOTION TO DISMISS INDICTMENT

The Defendant, Julian Taylor, by his counsel, Charles N. Sturtevant, moves to Dismiss the Indictment pursuant to Rule 4 of the Plan for Achieving Prompt Disposition of Criminal Cases, on the grounds that the Government was not ready for trial within six months as required.

Dated at Hartford, Connecticut this day of June,
1974.

THE DEFENDANT
JULIAN TAYLOR

BY

Charles N. Sturtevant
Federal Public Defender
450 Main Street
Hartford, Connecticut

CERTIFICATION

This is to certify that a copy hereof has this date
been mailed postage prepaid to:

Peter J. Zaccagnino, Jr., Esq.
Albert Dabrowski, Esq.
Thomas Dennis, Esq.
Jacob S. Sobotka

12

Charles N. Sturtevant

5

IN THE
UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

DOCKET NO. 75-1104

UNITED STATES OF AMERICA

APPELLEE

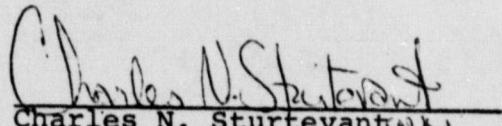
v.

JULIAN TAYLOR

APPELLANT

CERTIFICATION OF SERVICE

I hereby certify that a copy of the Brief
and Appendix of the defendant-appellant in
the above matter was mailed postage pre-
paid, to the Office of the U.S. Attorney,
450 Main Street, Hartford, Connecticut.


Charles N. Sturtevant
Federal Public Defender
450 Main Street
Hartford, Connecticut

